

## **Commercial establishment as an object of legal relationship (purchase of commercial establishment and usufructuary lease of commercial establishment)**

The topic of this thesis is „Commercial establishment as an object of legal relationship (purchase of commercial establishment and usufructuary lease of commercial establishment)“. From the title it is obvious that commercial establishment is an object of legal relationship but not a subject of legal relationship which is a considerable part of its understanding. With the acceptance of the Czech Civil Code a lot of changes came to this institute, including name change. This is the reason why it was necessary to conceive this matter complexly, from the basic term to specifics of particular legal relationships.

The first part of this thesis is focussed on a basic term of commercial establishment and its circumscription in the Czech Civil Code, where it is understood as a set of asset and also as an agent for entrepreneurial activities. This part analyses particular kinds of commercial establishment and also branch of another parts of commercial establishment.

The second part is dedicated to various examples of legal relationships where the commercial establishment might be the object. Particular legal relationships are concisely characterised. In this part there are also descriptions of some specifics in case of being a part of commercial establishment.

The main topics are discussed in the third and fourth part of this thesis. In the third part, the following is discussed: the processed purchase of commercial establishment. The purchase is the most considerable legal institute based on the change of owner of commercial establishment. Another topic is disassembly of general assessments in buying contract with a view to their relationship to commercial establishment and mainly anomalous assignation about purchase of commercial establishment which are contained in Czech Civil Code from section 2175 to 2183. These anomalous assignation are at least partly applied to most of legal relationship which are characterised in the second part of thesis.

The last part is about the second main topic which is usufructuary lease of commercial establishment. In terms of Czech law it is a new institute which was

sequestered from the rental and it is very similar to it. Similarly to a buying contract; also in this case there are some anomalous assignation in the Czech Civil Code about usufructuary lease of commercial establishment. There are a few affinities between them so this part is discussed markedly briefer.

Matters of commercial establishment is still relatively new. That is the reason why I believe, that my thesis might bring some new views and place for another discussion.